

1
2
3 BILL NO. G-75-12-18- *Amended.*

4 GENERAL ORDINANCE NO. G- *Withdrawn*

5 AN ORDINANCE amding Article XVI, A, Section 151.1A.
6 of Chapter 31 of the 1946 Municipal Code of the City
7 of Fort Wayne, as amended in 1968

8 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
9 WAYNE, INDIANA:

10 SECTION 1. That Chapter 31, Article XVI, A, Section 151.1 A. of
the 1946 Municipal Code of the City of Fort Wayne, as amended in 1968, is hereby
11 amended to read as follows:

12 (c) No tree, bush, shrubbery or other type of
13 planting shall be planted or maintained in an area
14 closer than 50 ft. from the right-of-way line of an
intersection street

15 SECTION 2. This Ordinance shall be in full force and effect from
and after its passage and approval by the Mayor.

16
17 
18 COUNCILMAN
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

APPROVED AS TO FORM
AND LEGALITY,


CITY ATTORNEY

Read the first time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197____, at _____ o'clock P.M., E.S.T.

Date: 12-9-75 Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by _____, seconded by _____, and duly adopted, placed on its passage.
Passed (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT
TOTAL VOTES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BURNS	_____	_____	_____	_____	_____
HINGA	_____	_____	_____	_____	_____
HUNTER	_____	_____	_____	_____	_____
KRAUS	_____	_____	_____	_____	_____
MOSES	_____	_____	_____	_____	_____
NUCKOLS	_____	_____	_____	_____	_____
SCHMIDT, D.	_____	_____	_____	_____	_____
SCHMIDT, V.	_____	_____	_____	_____	_____
STIER	_____	_____	_____	_____	_____
TALARICO	_____	_____	_____	_____	_____

DATE: _____ Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. _____ on the _____ day of _____, 197____.

ATTEST: (SEAL)
Charles W. Westerman
CITY CLERK

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 197____, at the hour of _____ o'clock _____ M., E.S.T.

Approved and signed by me this _____ day of _____, 197____, at the hour of _____ o'clock _____ M., E.S.T.

MAYOR

*to be
with name*

Bill No. G-75-12-18

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending Article XVI, A Section 151, 1A, of Chapter 31 of the 1946 Municipal
Code of the City of Fort Wayne, as amended in 1968

Withdrawn

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance PASS.

John Nuckols
John Nuckols - Chairman

Paul M. Burns
Paul M. Burns - Vice-Chairman

Vivian G. Schmidt
Vivian G. Schmidt

Winfield C. Moses, Jr.
Winfield C. Moses, Jr.

Donald J. Schmidt
Donald J. Schmidt

*Don't want
to appear
Jan. 13*

Bill No. G-75-12-18

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on REGULATIONS to whom was referred an Ordinance
amending Article XVI, A Section 151 , 1A, of Chapter 31 of the 1946 Municipal
Code of the City of Fort Wayne, as amended in 1968

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance *Do* PASS.

John Nuckols

Vivian G. Schmidt

Paul M. Burns

Samuel J. Talarico

Donald J. Schmidt

John Nuckols
Vivian G. Schmidt

TRAFFIC ENGINEERING DEPARTMENT

Report No. BPS 65/75 Sheet 1 of 1 Date October 29, 1975

To: Mr. Thomas Casaburo, Director of Public Safety

Subject: Amendment to City Ordinance reference "Intersection Visibility".

We are experiencing, at many locations throughout the City, situations involving the planting of new trees in the parkway strip (between curb and sidewalk) so as to block out the intersection control (stop or yield) signs upon the approach to the intersection. In some instances existing trees are small enough they presently do not present a problem as the intersection control sign is not completely blocked from vision of the approaching motorist. In a short period of time as the trees grow, they will of course create hazardous situations. We want to avoid pruning trees that will eventually obstruct the control signs. It is our intent to initiate preventative measures and attempt to reduce potential accident factors.

We are asking the existing corner visibility Ordinance, Chapter 31, Article XVI, A, Section 151.1 A. (1968 amended) to be amended as follows:

(c) No tree, bush, shrubbery or other type of planting shall be planted or maintained in an area closer than 50 ft. from the right-of-way line of an intersecting street.

The attached sketch will help define more clearly the area in which we are concerned with.



WES/TAM/jn
attachment:
cc: Mayor Lebamoff
B/Safety
City Attorney
File (3)

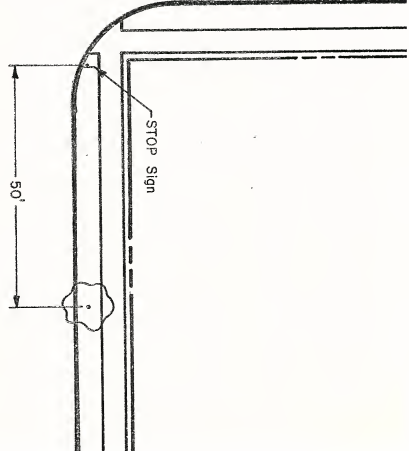
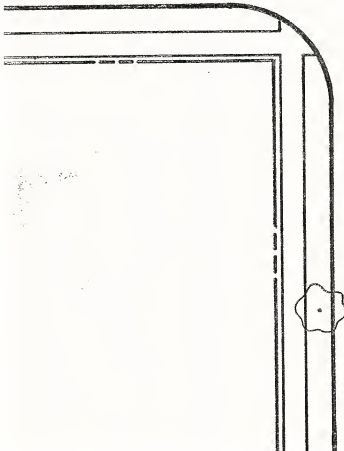
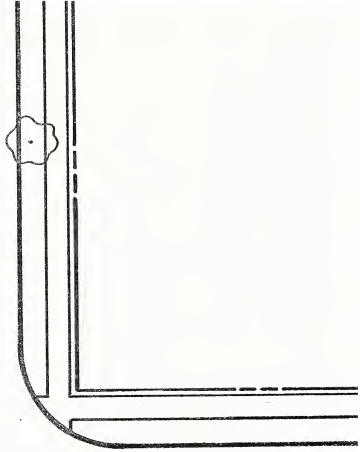
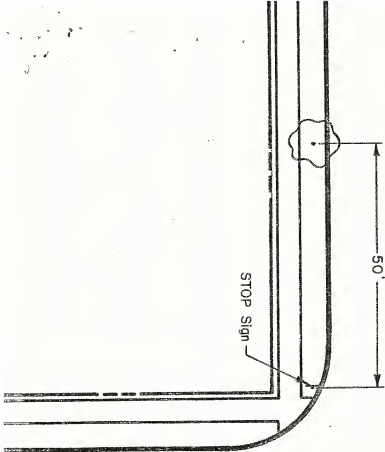
DATE 11-21-75

Walter E. Stout
Walter E. Stout,
Asst. Traffic Engineer

Thomas A. Manny
Thomas A. Manny,
Traffic Engineer

DISPOSITION OF REPORT

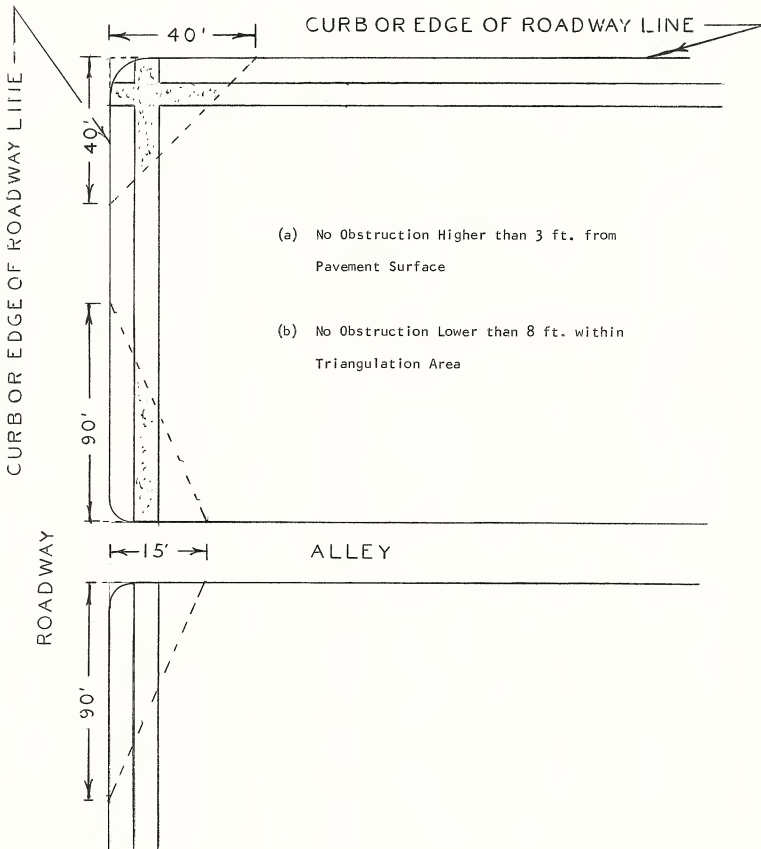
Approved _____ 19 _____ Rejected _____ 19 _____
Hold _____ 19 _____ Rescinded _____ 19 _____ Other _____ 19 _____



ORDINANCE CHAPTER 31, ART. XVI A, SEC. 151 1A

ROADWAY

CURB OR EDGE OF ROADWAY LINE



CITY OF FORT WAYNE
Board of Public Safety
Traffic Engineering Department
City-County Building, Seventh Floor
Fort Wayne, Indiana 46802

Complaints have reached this department concerning _____
located at _____

We are directing your attention to City Ordinance, Chapter 31, Article XVI, A, Section 151.1 A. As it appears in the Municipal Code of the City of Fort Wayne (1968 Amended) which reads:

"No fence, wall, hedge or other planting or other obstruction to vision, extended in excess of 3 feet above or hanging lower than 8 feet above the established street centerline grade shall be erected, planted or maintained in the areas described below; provided that this restriction shall not apply to buildings in the B-3-A District as established under Chapter 36 of this code:

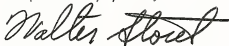
(a) Corner Lot: The area bounded by the edges of intersecting roadways and a line intersecting said edge lines at points 40 feet distant from the intersection of the edge or roadway lines extended on their bearing before any deflection for the intersection.

(b) Lot at intersection of alley: The area bounded by the edge of the roadway and the edge of the intersecting alley and a line intersecting said edge lines at points 90 feet distant on the roadway and 15 feet distant on the alley from the intersection of said edge extended on their bearing before any deflection for the intersection.

If any owner shall fail to remove any such obstructions within 15 days after notice from the Traffic Engineering Department, said office may cause them to be removed at the expense of the owner. The Police Department, Street Department and Park Department will cooperate with the Traffic Engineer in the enforcement of this provision".

It is being asked that this situation be remedied in order that no further action will be required by this office. If there are any questions, please contact the undersigned.

Respectfully yours,



Walter E. Stout,
Ass't. Traffic Engineer,
Operations

WES/e

TX - 423-7126

Article XVI-A. Safety of Streets.

Sec. 151.1. Corner visibility.

No fence, wall, hedge or other planting or other obstruction to vision, extending in excess of three feet above or hanging lower than eight feet above the established street centerline grade shall be erected, planted or maintained in the areas described below; provided, that this restriction shall not apply to buildings in the B-3-A district as established under chapter 36 of this Code.

(a) *Corner lot.* The area bounded by the edges of intersecting roadways and a line intersecting such edge lines at points forty feet distant from the intersection of the edge or roadway lines extended on their bearing before any deflection for the intersection.

(b) *Lot at intersection of alley.* The area bounded by the edge of the roadway and the edge of the intersecting alley and a line intersecting such edge lines at points ninety feet distant on the roadway and fifteen feet distant on the alley from the intersection of such edge lines extended on their bearing before any deflection for the intersection.

If any owner shall fail to remove any such obstructions within fifteen days after notice, the city traffic engineer may cause them to be removed at the expense of the owner. The police department, street department, park department and building department will cooperate with the traffic engineer in the enforcement of this provision. (Ord. G-01-68, § 1.)

Article XVII. Traffic Violations Bureau.

Sec. 152. Traffic violations bureau established.

(a) There is hereby established in the office of the city clerk a traffic violations bureau to assist the city court with the clerical work of traffic cases.



THE CITY OF FORT WAYNE

department of public safety

*Held until Committee Session
D-75-12-18
(be amended)*

December 17, 1975

Mr. John Nuckols, Chairman
Regulations Committee
The Common Council
Fort Wayne, Indiana

Reference: Bill Number G-75-12-18

Mr. Nuckols:

We are requesting Section 1 of this bill be amended to read:

"That Chapter 31, Article XVI, A, Section 151.1 A. of the 1946 Municipal Code of the City of Fort Wayne, as amended in 1968, is hereby amended to read as follows:

- (c) No tree shall be planted ~~or maintained~~ within the street right-of-way within 50 feet of an intersecting street right-of-way."

Please be advised that this Bill has the total backing of the Parks Department.

Very truly yours,

Richard M. Drake
Administrative Assistant,
Public Safety

Thomas A. Manny
Traffic Engineer

Robert C. Arnold
Superintendent of Parks

RMD:bg

DIGEST SHEETTITLE OF ORDINANCE Intersection VisibilityDEPARTMENT REQUESTING ORDINANCE Public Safety *RND* (Traffic Engineering) *G-75-12-18*SYNOPSIS OF ORDINANCE An Ordinance amending City Ordinance Chapter 31,Article XVI, A, Section 151.1A (1968 amended). Amendment to read:(c) No tree, bush, shrubbery or other type of planting shallbe planted or maintained in an area closer than 50 ft. fromthe right-of-way line of an intersecting street.See attached information from Traffic Engineering.EFFECT OF PASSAGE Reduce potential accident factors and reduce pruning of
trees.EFFECT OF NON-PASSAGEMONEY INVOLVED (Direct Costs, Expenditures, Savings)NoneASSIGNED TO COMMITTEE (J.N.) *Regulation*